

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

WILLIAM S. HUDIC : Bankruptcy Case No. 19-22920-TPA
: Chapter 13
Debtor(s) :

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated February 28, 2021, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for *N/A remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com*, (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

- ☐ **1.** For the remainder of the Plan term, the periodic Plan payment is to be \$_____ as of _____. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ **2.** The length of the Plan is increased to a total of ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ **3.** _____ shall be paid monthly payments of \$_____ beginning with the Trustee's _____ distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ **4.** The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
Claimant: Dollar Bank Claim #: 7 with payment changes implemented
Claimant: Dollar Bank Claim #: 9
- ☒ **5.** Additional Terms:
(a) Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.
(b) Motion for Relief From Stay is resolved by Order of January 8, 2021 at Doc. No. 105
- ☐ **6.** The Confirmation Order dated *September 3, 2020*, Doc. 75 is **VACATED**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)(3)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this Confirmed Plan. The Trustee may only disburse funds pursuant to this Confirmation Order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. **Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely..

4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. **Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims, the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

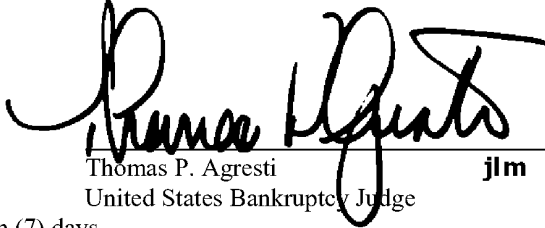
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

7. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

8. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: March 19, 2021
(Effective Date)



Thomas P. Agresti
United States Bankruptcy Judge

jlw

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
William S. Hudic
Debtor

Case No. 19-22920-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 19, 2021

User: jmar
Form ID: pdf900

Page 1 of 3
Total Noticed: 32

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 21, 2021:

Recip ID	Recipient Name and Address
db	+ William S. Hudic, 119 2nd Street, Aspinwall, PA 15215-2939
cr	+ Dollar Bank, FSB, 300 West Tuscarawas Street, Canton, OH 44702-1911
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15092316	+ American Express, PO Box 981537, El Paso, TX 79998-1537
15104396	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15092319	+ Dollar Bank, PO Box 8469, Canton, OH 44711-8469
15109059	+ Dollar Bank, FSB, 300 W. Tuscarawas Street, Canton, OH 44702-1911
15109060	Dollar Bank, FSB, c/o David W. Raphael, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15112515	Dollar Bank, FSB, Three Gateway Center, 10 South, Pittsburgh, PA 15222
15210029	Dollar Bank, FSB, c/o Elizabeth L. Slaby, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15092320	+ Goldman Sachs Bank USA, PO Box 45400, Salt Lake City, UT 84145-0400
15092322	+ Key Recovery, 4910 Tiedeman Road, Cleveland, OH 44144-2338
15107829	+ Leroy Metz, II, Esquire, 535 Smithfield Street, Pittsburgh, PA 15222-2393
15132571	+ Metz Lewis Brodman Must O'Keefe LLC, c/o John R. O'Keefe, Jr., Esquire, 535 Smithfield Street, Suite 800, Pittsburgh, PA 15222-2305
15143076	Nissan Motor Acceptance, POB 660366, Dallas, TX 75266-0366
15109784	+ Northwest Bank, P.O. Box 337, Warren, PA 16365-0337
15092323	+ Northwest Savings Bank, 100 Liberty St, PO Box 788, Warren, PA 16365-0788

TOTAL: 17

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 20 2021 04:05:17	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15092317	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Mar 20 2021 04:04:58	Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
15103440	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Mar 20 2021 04:13:42	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15092318	+ Email/PDF: pa_dc_ed@navient.com	Mar 20 2021 04:13:52	Dept of Ed/Navient, 123 Justison Street, 3rd Floor, Wilmington, DE 19801-5360
15130317	+ Email/Text: kbarkley@bernsteinlaw.com	Mar 20 2021 03:53:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15092321	+ Email/Text: bankruptcy@huntington.com	Mar 20 2021 03:52:00	Huntington National Bank, PO Box 1558, Columbus, OH 43216-1558
15096018	+ Email/Text: key_bankruptcy_ebnc@keybank.com	Mar 20 2021 03:53:00	KeyBank, N.A., 4910 Tiedeman Rd., Brooklyn, OH 44144-2338
15119763	Email/PDF: pa_dc_claims@navient.com	Mar 20 2021 04:20:38	Navient Solutions, LLC on behalf of, Department of Education Loan Services, PO BOX 9635, Wilkes-Barre, PA 18773-9635
15129309	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 20 2021 04:13:49	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

District/off: 0315-2

User: jmar

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Form ID: pdf900

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15092324	+ Email/PDF: gecsed@recoverycorp.com	Mar 20 2021 02:45:31	SYNCB/Levin Furniture, PO Box 965036, Orlando, FL 32896-5036
15092325	+ Email/PDF: gecsed@recoverycorp.com	Mar 20 2021 03:12:59	SYNCB/Sams, PO Box 965005, Orlando, FL 32896-5005
15128498	+ Email/PDF: gecsed@recoverycorp.com	Mar 20 2021 03:12:59	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15092597	+ Email/PDF: gecsed@recoverycorp.com	Mar 20 2021 02:59:56	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15101629	+ Email/Text: bankruptcy@huntington.com	Mar 20 2021 03:52:00	The Huntington Bank, P.O. Box 89424, Cleveland OH 44101-6424
15126201	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Mar 20 2021 04:06:01	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 15

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nissan Motor Acceptance Corporation
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15122999	*	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701

TOTAL: 1 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 21, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 19, 2021 at the address(es) listed below:

Name	Email Address
Beth L. Slaby	on behalf of Creditor Dollar Bank FSB bslaby@grenenbirsic.com, mcpupec@grenenbirsic.com
Beth L. Slaby	on behalf of Defendant Dollar Bank FSB bslaby@grenenbirsic.com, mcpupec@grenenbirsic.com
Brian Nicholas	on behalf of Creditor Nissan Motor Acceptance Corporation bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Debtor William S. Hudic bthompson@ThompsonAttorney.com blemon@thompsonattorney.com; bthompson@ecf.courtdrive.com; jcastello@thompsonattorney.com; kfinke@thompsonattorney.com

District/off: 0315-2

User: jmar

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Date Rcvd: Mar 19, 2021

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Total Noticed: 32

Brian C. Thompson

on behalf of Plaintiff William S. Hudic bthompson@ThompsonAttorney.com
blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.co
m

David A. Scott

on behalf of Creditor Nissan Motor Acceptance Corporation scott@lg-law.com

David W. Raphael

on behalf of Creditor Dollar Bank FSB raphaeld@fnb-corp.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 11